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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/717,278	11/22/2000	Michelle Q. Wang Baldonado	1508-3170	2069

7590

11/21/2005

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EXAMINER

LESNIEWSKI, VICTOR D

ART UNIT PAPER NUMBER

2152

DATE MAILED: 11/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/717,278	WANG BALDONADO ET AL.	
	Examiner	Art Unit	
	Victor Lesniewski	2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>10/11/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The amendment filed 9/15/2005 has been placed of record in the file.
2. Claims 1, 7, 13, and 19 have been amended.
3. Claims 21-23 have been added.
4. Claims 1-23 are now pending.
5. The applicant's arguments with respect to claims 1-23 have been considered but are moot in view of the following new grounds of rejection.

Continued Examination Under 37 CFR 1.114

6. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous office action has been withdrawn pursuant to 37 CFR 1.114. The applicant's submission filed on 9/15/2005 has been entered.

Information Disclosure Statement

7. The IDS filed 10/11/2005 has been considered.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 1-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Richard Simoni Junior and Douglas Pan (UK Patent Application Number GB 2 324 627 A), hereinafter referred to as Pan.

10. Some claims will be discussed together. Those claims which are essentially the same except that they set forth the claimed invention as a method, an information storage media, or an alternative system are rejected under the same rationale applied to the described claim.

11. Pan has disclosed:

- <Claims 1, 7, 13, and 19>

An electronic message management system comprising: a digest specification device that allows a user to obtain a plurality of digests from an information stream comprising a plurality of candidate messages by allowing the user to specify a set of one or more sender-independent message-based rules for each digest, wherein each set of one or more sender-independent message-based rules specifies one or more characteristics of the candidate messages; an information selection device that monitors the information stream and selects one or more of the plurality of candidate messages in the information stream that satisfy all of the rules in at least one of the sets of sender-independent message-based rules for at least one of the plurality of digests; and an electronic message management device that determines for each of the selected candidate messages, which of the plurality of digests corresponds to the set of sender-independent message-based rules satisfied by the particular selected candidate message, and integrates each of the selected candidate

messages into their respective corresponding digests (page 33, line 1 through page, 34, line 9).

- <Claims 2, 8, and 14>

The system of claim 1, further comprising a digest management device that delivers the digest to a predetermined destination upon satisfaction of at least one of the one or more sender-independent message-based rules (figure 7 and page 33, lines 15-20).

- <Claims 3, 10, and 16>

The system of claim 1, further comprising an information sampling device that delivers the selected candidate messages to a predetermined destination based on one or more of the sender-independent message-based rules (figure 7 and page 33, lines 15-20).

- <Claim 4>

The system of claim 1, further comprising a rule management device that manages the one or more sender-independent message-based rules (page 33, line 21 through page 34, line 2 and page 16, line 12 through page 17, line 6).

- <Claims 5, 11, and 17>

The system of claim 1, wherein the one or more sender-independent message-based rules include a Boolean comparison, a statistical-based selection criteria, a fuzzy logic based selection criteria, a keyword based selection criteria, a date, a subject, a recipient, or a sender-based selection criteria (figure 13 and page 33, lines 9-12).

- <Claims 6, 12, and 18>

The system of claim 1, wherein the electronic message is at least one of an email, an electronic message from a mailing list, and a bulletin board posting (page 33, lines 9-14).

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- <Claims 9 and 15>

The method of claim 7, further comprising determining and updating the digest based on one or more of the sender-independent message-based rules (page 33, lines 1-9 and page 1, line 13 through page 2, line 9).

- <Claims 21, 22, 23, and 20>

The electronic message management system of claim 1, wherein the electronic message management device selects one or more of the candidate messages which meet one or more supplemental selection criteria (figure 13 and page 33, lines 9-12).

Since all the limitations of the invention as set forth in claims 1-23 were disclosed by Pan, claims 1-23 are rejected.

Conclusion

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor Lesniewski whose telephone number is 571-272-3987.

The examiner can normally be reached on Monday through Thursday.

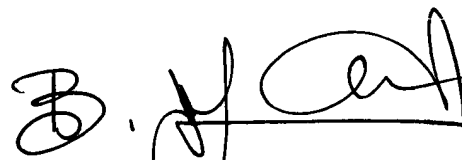
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Victor Lesniewski
Patent Examiner
Group Art Unit 2152



BUN JOE JAROENCHONWANIT
PRIMARY EXAMINER